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*Governor*



**KARYN POLITO**  
*Lt. Governor*

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## **Baker-Polito Administration Files Legislation to Enhance Department of Early Education and Care Background Check Process**

*Bill complies with new federal mandates for crucial funding and provides additional measures for protecting children in state licensed and funded child care programs*

**BOSTON** – The Baker-Polito Administration today filed *An Act to Enhance the Background Record Check Procedures of the Department of Early Education and Care* to comply with new federal regulations governing Child Care Development Block Grant ("CCDBG") funding, and to provide increased protections for children in Department of Early Education and Care licensed programs.

"Allowing the department to access important information and conduct expanded background checks will provide additional safeguards to protect our kids," **said Governor Charlie Baker**. "Our administration looks forward to working with the Legislature to enact this bill to strengthen our ability to deliver safe and exceptional educational opportunities across the Commonwealth."

"This legislation provides important measures to continue protecting children in the Commonwealth's licensed child care programs," **said Lt. Governor Karyn Polito**. "In satisfying new federal mandates tied to critical funding we remain committed to providing the best possible care to children across Massachusetts."

To remain eligible for CCDBG funding, Massachusetts must update its background record check process relied upon by child care providers by September 30, 2018. To ensure consistent practices relating to the safety of the Commonwealth's children,

this bill also exceeds federal requirements by extending safeguards beyond child care programs to EEC-licensed residential programs and adoption and foster agencies by September 30, 2020.

*An Act to Enhance the Background Record Check Procedures of the Department of Early Education and Care* will also:

- Require additional programs and individuals to complete a background record check through the Department of Early Education (EEC).
- Require all individuals in all EEC-licensed, funded, or approved programs to complete a background check record check.
- Give EEC the authority to subject these programs to additional background record checks as part of its licensing and program funding process.

Under the new CCDBG requirements, all individuals will first have to pass a fingerprint-based check of national and state criminal history databases before working provisionally in a supervised capacity in an EEC-licensed or CCDBG-funded program. This bill goes beyond federal requirements to require that applicants complete a Sex Offender Registry Information (SORI) check before working provisionally in a program. The legislation will also provide EEC with access to information on registered Level 1 sex offenders in Massachusetts. Currently EEC receives only Level 2 and Level 3 sex offender record information.

“An important element of this legislation is that all individuals in programs that are licensed by EEC or receive CCDBG funding will need to first pass the fingerprint check and Massachusetts SORI check before they are permitted to work provisionally in a supervised capacity,” **Education Secretary James Peyser said.**

A new background record check technology system to streamline business processes and to support the required changes to the review process is near completion. Applicants seeking to apply for or renew a child care program license, or seeking new funding through CCDBG, and any new individuals in an existing EEC-licensed child care or CCDBG-funded program, will complete their background record check through the new system.

Applicants in programs subject to CCDBG requirements will be subject to a new check of the National Sex Offender Registry (NSOR), in addition to the four currently required checks of the state’s CORI, SORI, the Department of Children and Families (DCF) Registry of Alleged Perpetrators, and a fingerprint-based check of the state and national criminal history databases. All five checks will be run concurrently.

“The safety of Massachusetts’ children is paramount, and ‘An Act to Enhance the

Background Record Check Procedures of the Department of Early Education and Care' will provide critical measures for protecting the Commonwealth's children and staff in our state licensed and funded child care programs," **said Commissioner Tom Weber.** "These additional measures will strengthen our system and demonstrate the Department's commitment to continuous improvement and enhance our ability to meet our mission of providing children and families with safe, high-quality early education and care."

CCDBG funding provides more than \$277 million annually to the Department of Early Education and Care to subsidize high-quality child care for low-income children and families. In order to remain eligible for this funding, Massachusetts must update its background record check processes for all EEC-licensed child care programs and all programs that receive CCDBG funds, and to all individuals working and present in these programs, regardless of whether they have unsupervised access to children, by September 30, 2018.

EEC will phase in the additional background record check requirements for all individuals in all EEC-licensed residential programs and adoption and foster placement agencies by September 2020.

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